

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01368-CJN**

TOBIAS v. UNITED STATES DEPARTMENT OF THE
INTERIOR, OFFICE OF THE SECRETARY
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 06/08/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JIMMY TOBIAS**

represented by **Joshua Hart Burday**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshb@loevy.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Merrick Jason Wayne
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
THE INTERIOR, OFFICE OF THE
SECRETARY**

represented by **Marsha Wellknown Yee**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2539
Fax: (202) 252-2599
Email: marsha.yee@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/08/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY (Filing fee \$ 400 receipt number 0090-5525023) filed by Jimmy Tobias. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G, # <u>8</u> Exhibit Exhibit H, # <u>9</u> Exhibit Exhibit I, # <u>10</u> Exhibit Exhibit J, # <u>11</u> Exhibit Exhibit K, # <u>12</u> Exhibit Exhibit L, # <u>13</u> Exhibit Exhibit M, # <u>14</u> Exhibit Exhibit N, # <u>15</u> Exhibit Exhibit O, # <u>16</u> Exhibit Exhibit P, # <u>17</u> Exhibit Exhibit Q, # <u>18</u> Exhibit Exhibit R, # <u>19</u> Exhibit Exhibit S, # <u>20</u> Exhibit Exhibit T, # <u>21</u> Exhibit Exhibit U, # <u>22</u> Civil Cover Sheet Civil Cover Sheet, # <u>23</u> Summons Summons)(Burday, Joshua) (Entered: 06/08/2018)

06/08/2018	<u>2</u>	NOTICE of Appearance by Joshua Hart Burday on behalf of Jimmy Tobias (Burday, Joshua) (Entered: 06/08/2018)
06/11/2018		Case Assigned to Judge Randolph D. Moss. (zsb) (Entered: 06/11/2018)
06/11/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 06/11/2018)
06/13/2018	<u>4</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in this Court's Standing Order. See document for details. Signed by Judge Randolph D. Moss on 6/13/18. (lcrdm3,) (Entered: 06/13/2018)
06/13/2018	<u>5</u>	Case randomly reassigned to Judge Amy Berman Jackson. Judge Randolph D. Moss is no longer assigned to the case. (ztnr) (Entered: 06/14/2018)
06/25/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY served on 6/18/2018 (Topic, Matthew) (Entered: 06/25/2018)
06/25/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/18/2018. (Topic, Matthew) (Entered: 06/25/2018)
06/25/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/18/2018. Answer due for ALL FEDERAL DEFENDANTS by 7/18/2018. (Topic, Matthew) (Entered: 06/25/2018)
07/18/2018	<u>9</u>	NOTICE of Appearance by Marsha Wellknown Yee on behalf of UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY (Yee, Marsha) (Entered: 07/18/2018)
07/18/2018	<u>10</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY.(Yee, Marsha) (Entered: 07/18/2018)
07/19/2018		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before August 16, 2018. Signed by Judge Amy Berman Jackson on 07/19/2018. (lcabj3) (Entered: 07/19/2018)
08/16/2018	<u>11</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY. (Attachments: # <u>1</u> Declaration Angela Moore, # <u>2</u> Declaration Nicholas Banco)(Yee, Marsha) (Entered: 08/16/2018)
08/17/2018		MINUTE ORDER. Defendant must file an updated status report by November 16, 2018. Signed by Judge Amy Berman Jackson on 08/17/2018. (lcabj3) (Entered: 08/17/2018)
11/16/2018	<u>12</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY. (Attachments: # <u>1</u> Declaration Angela Moore, # <u>2</u> Declaration Nicholas Banco)(Yee, Marsha) (Entered: 11/16/2018)
11/19/2018		MINUTE ORDER. Defendant must file an updated status report by January 16, 2019. In the meantime, the parties should meet and confer to see if the requests to the Office of the Secretary can be narrowed and prioritized. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/19/2018. (lcabj3) (Entered: 11/19/2018)
01/11/2019	<u>13</u>	Unopposed MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/11/2019)
01/14/2019		MINUTE ORDER granting <u>13</u> Unopposed Motion to Stay. The government must file a notice within two days of the resumption of operations and it should include a proposed revised schedule if one is necessary. SO ORDERED. Signed by Judge Amy Berman Jackson on 01/14/2019. (lcabj3) (Entered: 01/14/2019)

01/29/2019	<u>14</u>	NOTICE of Restored Government Funding by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY (Yee, Marsha) (Entered: 01/29/2019)
01/30/2019		MINUTE ORDER. In light of the government's notice <u>14</u> , the stay in this case is lifted. The agency must make its next production on March 1, 2019, and it must also submit a status report with the Court at that time. The parties are reminded of the Court's November 19, 2018 Minute Order which directed the parties to meet and confer to see if the requests to the Office of the Secretary can be narrowed and prioritized. SO ORDERED. Signed by Judge Amy Berman Jackson on 01/30/2019. (lcabj3) (Entered: 01/30/2019)
03/01/2019	<u>15</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY. (Attachments: # <u>1</u> Declaration Angela Moore, # <u>2</u> Declaration Nicholas Banco)(Yee, Marsha) (Entered: 03/01/2019)
03/04/2019		MINUTE ORDER. Defendants must file an updated status report by May 3, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 03/04/2019. (lcabj3) (Entered: 03/04/2019)
05/03/2019	<u>16</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY. (Attachments: # <u>1</u> Angela Moore Suppl. Decl., # <u>2</u> Nicholas Banco Suppl. Decl.)(Yee, Marsha) (Entered: 05/03/2019)
05/07/2019		MINUTE ORDER. Defendant must file an updated status report by June 3, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 05/07/2019. (lcabj3) (Entered: 05/07/2019)
06/03/2019	<u>17</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY. (Attachments: # <u>1</u> Moore Suppl. Decl., # <u>2</u> Banco Suppl. Decl.)(Yee, Marsha) (Entered: 06/03/2019)
06/07/2019		MINUTE ORDER. Defendant must file an updated status report by July 7, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 06/07/2019. (lcabj3) (Entered: 06/07/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Amy Berman Jackson is no longer assigned to the case. (ztnr) (Entered: 06/24/2019)
07/03/2019	<u>18</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY. (Attachments: # <u>1</u> Banco Suppl. Decl.)(Yee, Marsha) (Entered: 07/03/2019)
08/06/2019	<u>19</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of JIMMY TOBIAS (Wayne, Merrick) (Entered: 08/06/2019)
08/13/2019		MINUTE ORDER. In light of the Parties' <u>18</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by September 13, 2019. Signed by Judge Carl J. Nichols on August 13, 2019. (lccjn1) (Entered: 08/13/2019)
08/14/2019		Set/Reset Deadlines: Additional Joint Status Report due by 9/13/2019. (mac) (Entered: 08/14/2019)